

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

MARTIN J. WALSH,
SECRETARY OF LABOR,
Petitioner,

v.

THE ROOF KINGS, LLC,
Respondent,

USDC MA No. 22-94014-DHH
1st Cir Case No.: 18-1425

PROPOSED ORDER ON ABATEMENT SCHEDULE

The Secretary of Labor, U.S. Department of Labor, and the Roof Kings and its owner and agent, Mr. Craig Galligan, (collectively “the parties”) jointly submit this Proposed Order establishing a schedule for compliance with the abatement measures ordered by the U.S. Court of Appeals for the First Circuit in its May 12, 2021 judgment against the Roof Kings, *Walsh v. The Roof Kings, LLC*, Docket No. 18-1425, and as set forth in paragraphs 10 and 11 of the underlying settlement agreement between the parties dated July 27, 2017, as enforced by the First Circuit’s judgment. The Special Master directed the parties to submit this proposed schedule during the status hearing held on August 2, 2022.

The Special Master held the first status hearing in this contempt matter on June 27, 2022. At that hearing, the Special Master ordered the Roof Kings and its owner, Mr. Craig Galligan, to produce financial documents as specified in the First

Circuit's May 12, 2021 judgment against the Roof Kings, and subsequently issued an order precluding the Roof Kings and Mr. Galligan from transferring, selling or closing financial accounts or real property or opening safe deposit boxes without prior approval of the Special Master and notice to the Secretary. Case No. 4:22-mc-94014-DHH, ECF Document 19, at 1-2 (06/30/22).

At the second hearing, counsel for the Secretary provided a status update regarding the Roof Kings' compliance with the First Circuit's judgment. With regard to the abatement measures ordered by the First Circuit, as of the date of the second status hearing, counsel for the Secretary reported that the Roof Kings had contacted, but had not yet retained, a safety consultant to comply with the terms of paragraph 10 of the settlement agreement, which required the company to develop a safety program, including providing training to its employees.

Counsel for the Secretary requested that the Special Master order the Roof Kings to propose a schedule for complying with the abatement terms as set forth in paragraph 10 of the settlement agreement. The Special Master ordered that a proposed timeline be submitted by September 2, 2022 setting forth a schedule for compliance with paragraph 10 of the settlement agreement. Counsel for the Roof Kings agreed to comply.

In addition, in accordance with paragraph 11 of the settlement agreement, counsel for the Secretary reported that the Roof Kings had notified the Secretary of

two roofing jobs on July 5, 2022, which were scheduled to commence on July 6, 2022.¹ Counsel for the Secretary recommended that the Roof Kings recommence notification of its roofing jobs, in compliance with the original terms of the settlement agreement and the First Circuit’s judgment, for a period of five years starting on July 5, 2022 and ending on July 4, 2027, which the Roof Kings agreed to do. The Special Master ordered that Mr. Galligan must certify that the notices of work that he has provided captures all of the Roof Kings’ and Glass Kings’ jobs and that additional notices of roofing jobs must also be so certified.² Counsel for the Roof Kings agreed to comply.

Mr. Galligan and the Roof Kings now propose the following schedule for compliance with the abatement measures as set out in detail in paragraph 10 of the settlement agreement:

1. Retain Safety Consultant: By September 17, 2022
2. Perform job inventory and job safety analysis and develop standard operating procedures (“SOP”): By October 1, 2022

¹ On August 29, 2022, the Roof Kings sent a notification to the Secretary of another roofing job scheduled to begin September 1, 2022.

² On August 30, 2022, the Roof Kings sent the Secretary an affidavit from Mr. Craig Galligan certifying that the roofing jobs reported to OSHA as of August 29, 2022 constitute all the roofing jobs the Roof Kings have performed during the relevant reporting period.

3. Begin conducting safety huddles before each job – pre job briefings to review the SOP for the anticipated job and to ensure that all training, equipment and materials necessary for the safe performance of the job have been provided: By October 1, 2022
4. Train all employees and ensure all employees of subcontractors are trained to ensure that they can recognize hazards at the worksite and to direct them to report any hazards so that it can be corrected: By October 15, 2022
5. Annual comprehensive safety and health audit by an independent, qualified safety and health consultant: By November 30, 2022
6. Development of the following procedures:
 - a. Halt-to-Work procedures: By October 1, 2022
 - b. Roofing permit procedures: By October 1, 2022
7. Development of Safety and Health Program: By November 30, 2022

The Secretary provided counsel for the Roof Kings a copy of this draft order, and the above information concerning deadlines was provided by him. The Secretary has no objection to the schedule proposed above and respectfully submits that, the sooner Mr. Galligan and the Roof Kings comply with each measure, the more quickly they can ensure workers are being sufficiently protected.

Therefore, this Special Master **ORDERS** that Respondent the Roof Kings and its agent and owner, Craig Galligan, comply with the above schedule and also

immediately begin to certify and report to the Secretary all roofing jobs beginning July 5, 2022 and continuing through July 4, 2027.

DONE AND ORDERED this _____ day of _____ 2022.

MAGISTRATE JUDGE DAVID H. HENNESSY

Respectfully submitted this 1st day of September 2022.

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